

## **EXHIBIT 17**

Bk X495 Pg700 #233



**State of New Jersey**  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JON S. CORZINE  
*Governor*

LISA P. JACKSON  
*Commissioner*

IN THE MATTER OF:

THE B.L.ENGLAND GENERATING STATION SITE  
ATLANTIC CITY ELECTRIC COMPANY AND  
RC CAPE MAY HOLDINGS, LLC

: REMEDIATION  
: AGREEMENT

ISRA Case # E20000028  
PI # 011645

This Remediation Agreement is issued and entered into pursuant to the authority vested in the Commissioner of the New Jersey Department of Environmental Protection, (hereinafter the "Department" or "DEP") by N.J.S.A. 13:1D-1 et seq., the Industrial Site Recovery Act, N.J.S.A. 13:1K-6 et seq., and the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11 et seq., and duly delegated to the Assistant Director for the Oversight Resources Allocation Element within the Division of Remediation Support pursuant to N.J.S.A. 13:1B-4.

**FINDINGS**

1. The property that is the subject of this Remediation Agreement is located at 900 North Shore Road in Beesley's Point, and designated as Block 479, Lots 74, 76, 76.01, 94.01, 97, 98 and 99 and Block 661, Lot 81 on the tax maps of Upper Township, Cape May County, New Jersey (hereinafter "Property"), and includes all other areas to which any hazardous substance discharged on the Property has migrated (collectively, "the Site" or "B.L. England Generating Station Site"). The Property is owned by and operated by Atlantic City Electric Company.

2. On November 6, 2006, RC Cape May Holdings, LLC submitted to the Department an application for a Remediation Agreement pursuant to N.J.A.C. 7:26B-4.1. This Remediation Agreement application is incorporated herein by reference and includes the following information:

A. Transaction

Seller: Atlantic City Electric Company  
Buyer: RC Cape May Holdings, LLC

For : Sylvia Pearce  
From: Dwight Ruskos  
RE : County Clerk RA filing.

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